

## EXHIBIT B

Polk County Jail  
Policy and Procedures Manual

### C. Safety & Security

#### C-202 FRATERNIZATION WITH INMATES

Effective Date: Nov 18, 2007

Revision Date:

## POLICY

This policy is designed to reduce potential conflict of interest or impairment of the supervision and incarceration provided by the Polk County Jail for prisoners in the custody of the Polk County Sheriff's Office.

### II. DEFINITIONS

For the purpose of this policy employee is defined as any person employed by the Polk County Sheriff's Office including limited term employees, sworn and non-sworn permanent employees, students, interns, and those under a contractual relationship with the Sheriff's Office.

#### A. Prohibited Relationships include:

1. Living in the same household with a prisoner.
2. Working for a prisoner.
3. Employing a prisoner with or without remuneration.
4. Extending, promising or offering any special consideration or treatment to a prisoner.
5. Having personal contacts (other than those required by the employee's job duties); such as, communicating through verbal or written means.
6. Being in an intimate social or physical relationship with a prisoner.
7. Providing or receiving goods or services with or without remuneration for or to prisoners.

#### B. While not considered a prohibited relationship as described above, the incarceration of a family member could create a conflict of interest.

1. Prisoners are defined as: adult and juvenile offenders or suspects under the legal custody or supervision of the Polk County Sheriff's Office.
2. Family is defined as: any spouse (current or ex), family partner, children, foster children, siblings, parents, foster parents, grandchildren, grandparents, uncles, aunts, in-laws, closely related cousins, nieces or nephews of the employee; including, those persons signified as step- relations as listed above.

**III. PROCEDURE:**

- A. Employees of the Polk County Jail may not have prohibited relationships with:
  - 1. A prisoner under the supervision in the custody of the Polk County Jail;
  - 2. The spouse or domestic partner of a prisoner.  
NOTE: This may not include pre-existing relationships and/or family relationships. This will be subject to Polk County Jail administrative review.
- B. Employees who have more than incidental contact with prisoners must inform their immediate supervisor in writing of the circumstances.
  - 1. Employees that have unplanned contacts with prisoners must keep them brief and business like.
  - 2. This policy does not include contacts that are part of the employee's job duties.
  - 3. Personal relationships between employees and previously incarcerated inmates are not recommended. However, if a personal relationship with a previously incarcerated inmate is developed, the relationship must not interfere with the ethical and professional operation of the Polk County Jail nor bring embarrassment to the Sheriff or County.
- C. Employees must notify their supervisor when a family member or close friend becomes a prisoner or the subject of a criminal investigation in which the employee is engaged. .
  - 1. Supervisors will review the circumstances surrounding the custody or investigation and identify possible conflicts of interest for the Sheriff's Office or the employee.
  - 2. The reviewing supervisor will forward the information including an identification of possible conflicts to the Jail Administrator. Whenever practical the affected employee should avoid contact with and supervision of the family member until the situation is reviewed.
  - 3. The employee will be cautioned about providing special favors or assisting the prisoner in matters pertaining to their custody.

**IV. GENERAL GUIDELINES**

- A. All staff shall be aware of what constitutes sexual harassment, sexual misconduct, and sexual assaults and their consequences.
- B. Staff shall not develop an overly familiar or sexual relationship with any individual that could pose a potential conflict of interest.
- C. Staff should be aware of their surroundings and who may be listening at all times.

- D. Staff shall infract any inmate who “flashes” or exposes themselves to others.
- E. Staff shall not exchange letters, pictures, phone numbers, e-mail addresses, or other personal information with inmates
- F. Staff shall not exchange information about family or personal matters with inmates.
- G. Staff shall not intervene or help with an inmate’s personal or legal affairs without prior authorization.
- H. Staff shall not tell sexual jokes or carry on sexual conversations with inmates.
- I. Staff shall not accept gifts or favors from any inmate, inmate’s family, or agent.
- J. Staff shall not provide gifts or favors to any inmate, inmate’s family, or agent except as authorized in the official performance of duties.
- K. Any deviations from this policy shall require the prior approval from the Sheriff or designee.

Polk County Jail  
Policy and Procedures Manual

C. Safety & Security

**C-202 FRATERNIZATION WITH INMATES/PREA**

Effective Date: Nov 18, 2007

Revision Date: Jul 18, 2012

## POLICY

This policy is designed to reduce potential conflict of interest or impairment of the supervision and incarceration provided by the Polk County Jail for prisoners in the custody of the Polk County Sheriff's Office. This policy is also intended to protect prisoners from sexual contact or harassment.

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- J. Staff shall not provide gifts or favors to any inmate, inmate’s family, or agent except as authorized in the official performance of duties.
- K. Any deviations from this policy shall require the prior approval from the Sheriff or designee.

**V. PREA (PRISON RAPE ELIMINATION ACT)**

- A. Any employee, staff member or inmate who knows or reasonably suspects that an employee or inmate has been involved in sexual misconduct is to inform the Jail Administrator (inmate complaints may go to a staff member first). Reports shall be handled with high discretion before and after being submitted.
- B. Retaliation in any form against those who report misconduct is prohibited.
- C. False reports or allegations may result in discipline and potential prosecution.
- D. Upon receiving a report of possible sexual misconduct/harassment, the Jail Administrator will inform the Chief Deputy, who may elect to notify the Sheriff, other command staff, and or County authorities.
- E. Reported violations will be investigated and, when warranted, resolved through appropriate disciplinary processes and or/criminal proceedings.
- F. The rights of both the accused and the complainant will be protected, and the confidentiality of proceedings will be maintained to the fullest extent possible.
- G. Response to, and investigation of, allegations of sexual misconduct will be handled will take the following goals into consideration:
  - 1. Protection of victims from misconduct, retaliation or intimidation;
  - 2. Protection of staff against false accusations of sexual misconduct;
  - 3. Preservation of the integrity of criminal/administrative investigations;

4. Support for victims so that reporting of misconduct is not deterred;

5. Fair and just resolution of allegations.

H. In addition to Department policies against sexual misconduct, Wisconsin State Statutes make it a criminal offense for correctional staff members to have sexual intercourse or contact with an individual confined in a correctional institution.

I. To assist with their mental and physical wellbeing, victims reporting allegations of misconduct will be provided with Victim Information in accordance with Department Policy, including contact information for the Victim/Witness Coordinator of the District Attorney's Office, as well as additional resources such as provision of mental health services.

J. Inmates claiming to be victims of sexual conduct by another inmate will be separated from the alleged perpetrator by housing assignment, and "no contact" measures put in place. The alleged perpetrator may be placed on segregation while the investigation takes place.

K. Inmates claiming to have been sexually assaulted or raped will be afforded medical attention which may include an examination by a physician and appropriate follow-up as necessary.

L. The Employee Assistance Program (EAP) may be utilized by employees for:

1. Help and guidance if an employee believes they are blurring professional boundaries and need help in maintaining those boundaries;

2. Support for employees who have reported or witnessed misconduct, or are the subject of an investigation.